

Hank Rugeley
hankrugeley@sbcglobal.net
DAVISON RUGELEY, L.L.P.
900 Eighth Street, Suite 1102
P. O. Drawer 99
Wichita Falls, Texas 76307
(940) 766-1388
(940) 766-5396 – FAX

ATTORNEYS FOR THOMAS L. BROSSART AND DIANA BROSSART

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

IN RE:	§	
	§	
JEFFREY WEBSTER JORDAN dba,	§	
JORDAN’S CONCRETE,	§	
	§	CASE NO. 09-70492-hdh-13
JEFFREY WEBSTER JORDAN,	§	
	§	CHAPTER 13
TARALYN LEE JORDAN,	§	
	§	
DEBTORS.	§	

OBJECTION TO CONFIRMATION AND VALUATION

Thomas L. Brossart and Diana Brossart (“the Movants”) file this their Objection to Confirmation and Valuation and would show the Court the following:

1

The plan fails to provide for the secured claim of Movants. Equity of approximately \$20,000 exists over and above the first lien on the Knox County real property. Due to Movants’ abstract of judgment on file in Knox County, Movants have a secured claim of \$20,000.00 which is not addressed in the plan. The plan fails to pay the Movants as requested by Section 1325 (a)(5) of the Bankruptcy Code.

2

The plan provides for the Debtors to retain five vehicles. Debtors do not need five vehicles and are, therefore, not devoting all of their disposable income to the payment of the creditors.

3

The Movants incorporate the objections filed by the Chapter 13 Trustee on November 10, 2009 (Clerk's No. 22).

WHEREFORE, PREMISES CONSIDERED, the Movants pray that their objection to confirmation and valuation be granted, confirmation be denied unless the Debtors amend their plan to correct the matters addressed in this objection, and that the Movants have such other and further relief to which they may be justly entitled.

Dated: November 12, 2009

Respectfully submitted,

DAVISON RUGELEY, L.L.P.
900 Eighth Street, Suite 1102
P. O. Drawer 99
Wichita Falls, Texas 76307
(940) 766-1388
(940) 766-5396 – FAX

By: /s/ Hank Rugeley
Hank Rugeley
State Bar No. 17382900

ATTORNEYS FOR THOMAS L. BROSSART AND
DIANA BROSSART

CERTIFICATE OF SERVICE

I hereby certify that on November 12, 2008, a true and correct copy of the foregoing was served on all parties of record via ECF or first class mail as follows:

Monte J. White
Monte J. White & Associates
1106 Brook Avenue
Wichita Falls, Texas 76301

Walter O'Cheskey
Chapter 13 Trustee
6308 Iola Avenue
Lubbock, Texas 79424

U. S. Trustee
1100 Commerce Street, Room 976
Dallas, Texas 75242-1496

s/ Hank Rugeley
Hank Rugeley

P:\HLR\Brossart\Pleadings\obj - confirmation.wpd